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4 WENDY LEE,

5 Plaintiff,

6 v.

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8 SUTTER BAY OPERATING UNIT SELF-
9 FUNDDED HEALTH PLAN,

10 Defendant.
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12 Case No. 22-cv-00638-SK

13
14 **ORDER OF CONDITIONAL
15 DISMISSAL**

16 Regarding Docket No. 28
17

18 Plaintiff filed a notice of settlement advising the Court that the above captioned matter has
19 settled. In light of the settlement, the Court HEREBY ORDERS that this action is DISMISSED
20 without prejudice; provided, however that if any party hereto shall certify to this Court within
21 ninety days, with proof of service, that the settlement was not consummated or that the agreed
22 consideration for settlement has not been delivered over, the foregoing order shall stand vacated,
23 and this case shall be restored to the calendar and set for trial. If no certification is filed, after
24 passage of ninety days, the dismissal shall be with prejudice.

25 **IT IS SO ORDERED.**

26 Dated: September 20, 2022

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SALLIE KIM
United States Magistrate Judge